

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION  
: NO. 16-130-02  
v. :  
:   
WHEELER K. NEFF :

**O R D E R**

**AND NOW**, this **24th** day of **April, 2018**, upon consideration of Nonparty Rod Ermel's Motion to Quash Subpoena (ECF No. 411), and the Government's response thereto (ECF No. 420), following a hearing with counsel for the parties and Nonparty Ermel and for the reasons stated on the record, it is hereby **ORDERED** that the motion is **DENIED** as follows:

1. The motion is **DENIED** with respect to the subpoena the Government issued to Nonparty Ermel ordering him to testify at Defendant Wheeler K. Neff's sentencing hearing, which will be held on May 25, 2018, at 9:00 a.m., in Courtroom 15A, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.<sup>1</sup>

2. The motion is **DENIED** with respect to the subpoena the Government issued to Nonparty Ermel ordering him to testify at Defendant Charles M. Hallinan's sentencing hearing, which will be held on June 5, 2018, at 9:00 a.m., in Courtroom 15A,

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<sup>1</sup> The Government has represented to the Court that it may be willing to accept a declaration from Nonparty Ermel in lieu of live testimony at Neff's sentencing hearing.

United States Courthouse, 601 Market Street, Philadelphia,  
Pennsylvania.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.